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Attorneys for Defendant
 ANNA'S LINENS, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

CORNELIUS CLARK, CHESTER LEWIS,
 JOHN PONDS and GARRANT COSEY, on behalf
 of themselves and all other similarly situated
 persons,

Plaintiffs,

vs.

ANNA'S LINENS, INC.,

Defendant.

CASE NO. C05-02670 MMC

**JOINT STIPULATION AND
 ORDER RE: FURTHER
 CONTINUANCE OF HEARING ON
 DEFENDANT ANNA'S LINENS,
 INC.'S MOTION FOR SUMMARY
 JUDGMENT OR IN THE
 ALTERNATIVE, PARTIAL
 SUMMARY JUDGMENT AND
 PLAINTIFFS' REQUEST
 PURSUANT TO FEDERAL RULE
 OF CIVIL PROCEDURE 56(f)**

Current Hearing Date: March 9, 2007
 Time: 9:00 a.m.
 Judge: Hon. Maxine M. Chesney
 Ctrm: 7

Plaintiffs, Cornelius Clark, Chester Lewis, John Ponds and Garrant Cosey ("Plaintiffs")
 and Defendant, Anna's Linens, Inc. ("Defendant"), by and through their respective counsel,
 hereby agree and stipulate as follows:

WHEREAS, on January 5, 2007, Defendant filed a Motion For Summary Judgment Or In
 The Alternative, Partial Summary Judgment, which motion was originally scheduled to be heard
 on February 9, 2007;

WHEREAS, on January 19, 2007, Plaintiffs filed a Request, Pursuant to Federal Rule of

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1 Civil Procedure 56(f), That The Court Deny Defendant Anna's Linens, Inc.'s Motion For
2 Summary Judgment, Or In The Alternative, Partial Summary Judgment, As Premature, Or In
3 The Alternative, Continue Anna's Linens' Motion, To Allow Plaintiffs Adequate Time For
4 Discovery Of Essential Facts To Enable Plaintiffs To Resist Anna's Linens' Motion. This
5 Request also was initially scheduled to be heard on February 9, 2007;

6 WHEREAS, on January 30, 2007, Plaintiffs filed a Request That The Court Grant Relief
7 Pursuant To Federal Rule of Civil Procedure 56(f), Which Is Effectively Unopposed. That
8 Request also was originally scheduled to be heard on February 9, 2007;

9 WHEREAS, on February 1, 2007, Defendant Anna's Linens, Inc. filed an Opposition To
10 And Motion To Strike Plaintiffs' "Request That Court Grant Plaintiffs' Request For Relief
11 Pursuant To Federal Rule Of Civil Procedure 56(f)";

12 WHEREAS, the parties have participated in mediation before Jerry Spolter, Esq., of
13 JAMS, and have reached a settlement agreement in principle of this litigation, subject to
14 confirmation of certain details and final documentation;

15 WHEREAS, while the parties were still in mediation, pursuant to their Joint Stipulation
16 the Court continued the subject hearing one month, to March 9, 2007; and

17 WHEREAS, in keeping with the above-referenced settlement agreement in principle, the
18 parties wish to avoid unnecessary litigation burdens and expense and wish to spare the Court the
19 burden of unnecessary proceedings;

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1 NOW, THEREFORE, Plaintiffs and Defendant hereby AGREE and STIPULATE that the
2 hearing on the above-referenced Motions shall be continued eight (8) weeks to May 4, 2007, or
3 to a date thereafter set by the Court.

4 IT IS SO STIPULATED.

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6 DATED: February 28, 2007

GOLDSTEIN, DEMCHAK, BALLER,
BORGEN & DARDARIAN

7
8 By: /s/ Teresa Demchak
9 TERESA DEMCHAK
10 Attorneys for Plaintiffs CORNELIUS
11 CLARK, CHESTER LEWIS, JOHN
PONDS, AND GARRANT COSEY

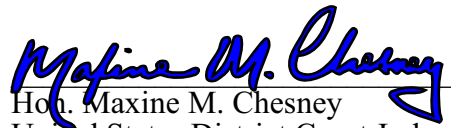
12 DATED: February 28, 2007

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14 By: /s/ Brian P. Maschler
15 BRIAN P. MASCHLER
16 Attorneys for Defendant
17 ANNA'S LINENS, INC.

18 IT IS SO ORDERED. The hearing is continued to May 4, 2007 at 9 a.m..
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21 DATED: March 1, 2007

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23 Hon. Maxine M. Chesney
24 United States District Court Judge
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